

Montana Secretary of State Linda McCulloch
House Bill 58 – Representative Geraldine Custer, Sponsor
Generally Revise Election Laws (Title 13 Clean-up)

Section	Reason
13-1-101	Added definition for "Election Judge" to mean a person appointed pursuant to 13-4-102 and to state that an election judge can be a poll worker or an individual who works on other election jobs including counting absentee ballots, counting regular ballots, and preparing ballots as assigned by county election administrator. Subsequent subsections renumbered and definition of "Transfer Form" eliminated because the reference to "transferring registration" has been eliminated from Title 13.
13-1-121	Statutory language for 13-1-122 was moved into 13-2-121 because otherwise the language is out of context.
13-2-220	Changed references to "registration cards" to "registration form" which is a more accurate description of the application.
13-2-512	Eliminated reference to "transfer" form, leaving it as "registration form" because a registration form is the prescribed form used in instances to update voter registration information.
13-2-513	Eliminated reference to "transferring registration" and "transfer form" by substituting reference to "updating registration" and "updated registration" form for consistency.
13-3-213	Added new subsection (4) to specify that the name of a person who has been assigned to vote in a precinct other than the precinct in which the person is registered must be printed on a special addendum to the precinct register. (Moved from 13-2-601 which is being repealed to this section which is the section on assisting electors with disabilities.)
13-4-203	Inserted "on current procedures as prescribed by the secretary of state" to clarify that election judges must be trained using uniform training as prescribed by the secretary of state.
13-10-404	In subsection (1) substituted the term "election official" with the term "campaign official" because it is a campaign official that submits a presidential candidate's declaration of nomination (correction from 2013 clean-up).
13-13-114	Eliminated the term "transfer form" from subsection (1) consistent with changes to 13-1-101 and 13-2-513.
13-13-213	Change references to "registration card" in the statute to "registration form," which is a more accurate description of the application.
13-13-241	Change references to "voter registration card" in the statute to "voter registration form," which is a more accurate description of the application used to apply for voter registration and consistent with previous changes to 13-13-213, 13-13-245, 13-15-107, 13-19-303, 13-27-204, 13-27-206, and 13-27-207.
13-13-245	Changed reference to "registration card" in subsection (2)(a) to "registration form" consistent with previous changes to 13-13-213, 13-13-241, 13-15-107, 13-19-303, 13-27-204, 13-27-206, and 13-27-207.
13-15-105	Amended provisions relating to the timing and type of notices required of an election administrator for the counting of absentee ballots. The change would require a notice to the public of the method, time and place of counting absentee ballots, whether there is an absentee board or not.
13-15-107	Changed reference to "registration card" in subsection (2)(a) to "registration form" consistent with changes to 13-13-213, 13-13-241, 13-13-245, 13-19-303, 13-27-204, 13-27-206, and 13-27-207.
13-15-205	Changed word "write" to "sign" in subsection (4) to clarify that an election judge must sign each seal, not write their name.
13-19-303	Changed reference to "registration card" in subsection (1)(b) to "registration form" consistent with previous changes to 13-13-213, 13-13-241, 13-13-245, 13-15-107, 13-27-204, 13-27-206, and 13-27-207.
13-19-304	Changed reference in subsection (2) from "card" to "form" to accurately reflect the document signed and for consistency.
13-21-104	Changed reference to "United States elector" to "covered voter." This change was missed during the 2013 legislative session in SB 57.
13-21-212	Changed reference to "United States elector" to "covered voter." This change was missed during the 2013 legislative session in SB 57.
13-27-103	Changed reference to "voter registry card" to "registration form" for consistency.
13-27-204	Changed reference to "registration card" in subsection (1)(e) to "registration form" consistent with

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	previous changes to 13-13-213, 13-13-241, 13-13-245, 13-15-107, 13-19-303, 13-27-206, and 13-27-207.
13-27-205	Changed reference to "registration card" in subsection (1)(e) and (2) to "registration form" consistent with previous changes to 13-13-213, 13-13-241, 13-13-245, 13-15-107, 13-19-303, 13-27-204, 13-27-206, and 13-27-207.
13-27-206	Changed reference to "registration card" in subsection (1)(e) and (2) to "registration form" consistent with previous changes to 13-13-213, 13-13-241, 13-13-245, 13-15-107, 13-19-303, 13-27-204, and 13-27-207.
13-27-207	Changed reference to "registration card" in subsection (1)(e) and (2) to "registration form" consistent with previous changes to 13-13-213, 13-13-241, 13-13-245, 13-15-107, 13-19-303, 13-27-204, and 13-27-206.
13-27-303	Changed reference to "petition circulator" to "signature gatherer" in subsection (3) to more accurately reflect that it is the signature gatherer that may be turned over to the county attorney to be investigated in suspected signature gathering violations.
13-27-304	Eliminated confusing language regarding sections/sheets in the certification statement and substituted "signature gatherer" for "circulator" to clarify that the affidavit is signed by the signature gatherer and not the circulator.
13-27-308	Eliminated confusing language and clarified that only verified signatures are tabulated to get a sufficient number of signatures and clarified that the Secretary of State is certifying to the Governor that the issue has qualified for the ballot rather than "been officially filed".
13-27-311	Changed reference from "election administrator" to "secretary of state" because the Secretary of State publishes the constitutional amendments and it is the Secretary of State who determines the best method of notification.
13-27-503	Substituted the word "certified" for existing language for consistency with language used when candidates are certified and added language clarifying that ballot issues are canvassed at the same time as candidate votes are canvassed.
13-35-207	Changed references from "registry card" to "registration form" consistent with previous changes to 13-13-213, 13-13-241, 13-13-245, 13-15-107, 13-19-303, 13-27-204, and 13-27-206.
	REPEAL
13-1-122	Repealed because the existing language has been incorporated into 13-1-121 where it more appropriately fits.
13-2-601	Repealed because the existing language has been incorporated into 13-3-213 which is the section that talks about assigning a different precinct to a voter who is assigned to an inaccessible polling place.
13-2-602	Repealed because this section is outdated and unnecessary; with provisional registration and provisional voting a court action is not necessary. (law from 1947, hasn't been modified since 1969)
13-13-230	Repealed because this section is outdated and unnecessary. Counties can levy for election costs, including absentee board costs under general county finance laws and subject to 15-10-420. There is no need for specific authorization for this purpose. There is a statute 13-1-302 that specifies that all elections costs shall be paid by the counties or the subdivisions for which the election is being held.
13-15-503	Repealed because this statute is outdated and unnecessary. The state canvass board does not meet until all returns have been received; and, it is the election administrator who sends in the county returns so it does not make sense to advise them since they are the ones sending in the returns.

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Repealed statutes:

(Repealed in the current part, but moved language to 13-1-121)

13-1-122. Ballot form and content. The ballot submitting the question to the people shall contain the following: Article XIV, sections 3 and 4, of the Montana constitution requires the question of holding an unlimited constitutional convention to be submitted to the people at the general election in each 20th year following its last submission. If a majority of those voting on the question answer in the affirmative, the legislature shall provide for the calling thereof at its next session.

☐ FOR calling a constitutional convention

☐ AGAINST calling a constitutional convention

(Repealed in the current section, but moved language into 13-3-213)

13-2-601. Special addendum to precinct register. The name of an elector who has been assigned to vote in a precinct other than the precinct in which the person is registered, as provided in [13-3-213](#), must be printed on a special addendum to the precinct register in a form prescribed by the secretary of state.

Repealed Statutes:

13-2-602. Joinder of parties in proceedings to compel entry of name in register. In any action or proceeding instituted in a district court to compel the registrar to enter the name of any elector in the precinct register, as many persons may be joined as plaintiffs for cause of action and as many persons as there are causes of action may be joined as defendants.

13-13-230. Authorization to increase county mill levy. Subject to [15-10-420](#), a county may levy an amount necessary to finance the additional cost of administering an absentee election board program pursuant to [13-13-225](#) through [13-13-229](#). The mill levy may not be included as part of any existing mill levy or special mill levy assessed by the county. The amount of any mill levy adopted under this section must be reasonably related to the actual cost of providing services as required by [13-13-225](#) through [13-13-229](#).

13-15-503. Notification if returns not received from counties. If the returns from all counties have not been received 3 days before the meeting of the board of state canvassers, the secretary of state shall immediately advise the election administrator of each delinquent county.